

CERTIFICATE OF NON-CONCURRENCE

I, Mathew H. Haverstick, Esquire, hereby certify that as counsel for movant-Defendant Comtech Mobile Datacom Corporation, pursuant to Local Rule 7.1 I sought concurrence in the Motion to Transfer Venue from Michael J. Crocenzi, Esquire, counsel for Plaintiff, but I was unable to obtain his concurrence in the Motion. Accordingly, counsel Crocenzi does not concur with the Motion.

CONRAD O'BRIEN

By: /s/ Matthew H. Haverstick

Matthew H. Haverstick
Kyle M. Elliott
1500 Market Street
Centre Square West Tower, Suite 3900
Philadelphia, PA 19102-1921
(215) 523-8325

Of Counsel:

PROSKAUER ROSE
Allan H. Weitzman
Ian C. Schaefer
11 Times Square
New York, New York 10036
(212) 969-3000

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that, on this 8th day of June, 2012, a true and correct copy of the Motion and Memorandum of Law were served via the Court's Electronic Case Filing System on the following:

Michael J. Crocenzi, Esquire
Goldberg Katzman, P.C.
4250 Crums Mill Road
Suite 301
Harrisburg, PA 17112

Attorney for Plaintiff Michael Prescott

s/ Mathew H. Haverstick
Mathew H. Haverstick, Esquire